

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.,)	
)	
)	
Plaintiff)	
)	
v.)	C.A. No. 04-10353-PBS
)	
VOICE SIGNAL TECHNOLOGIES, INC.,)	
<i>ET AL.</i>)	
)	
Defendants)	
)	

**DECLARATION OF LEE CARL BROMBERG, ESQ.,
IN COMPLIANCE WITH THE COURT'S ORDER OF MAY 5, 2006**

I, Lee Carl Bromberg, Esq., declare as follows:

1. I am the co-founder of, and a partner in, the law firm of Bromberg & Sunstein LLP and represent the plaintiff, ScanSoft, Inc., in the above-captioned matter (“the Boston litigation”).
2. O’Melveny & Meyers LLP, based in Los Angeles, and a Texas firm, Young Pickett & Lee, are currently representing ScanSoft (now known as Nuance Communications, Inc.) in a different matter against VST pending in the Eastern District of Texas before Judge Folsom, Case No. 5:06-cv-00071-DF-CMC (“the Texas litigation”). The Texas litigation involves alleged infringement of three Nuance patents: U.S. Pat. Nos. 5,850,627; 5,920,836; and 6,092,044. Those patents are not the same as the Nuance patent asserted in the Boston litigation and, indeed, arise from a different family of inventions. In addition, the trade secrets claims asserted here in Boston are not asserted in Texas.
3. In this Boston litigation, the Court has entered a protective order to preserve the integrity of information designated by one or the other party as either “Confidential” or “Highly

Confidential.” I have not shared any “Confidential” or “Highly Confidential” information with either of the two law firms representing Nuance in the Texas litigation. Nor have I have shared such information with anyone who is not permitted to receive it under this Court’s orders. In particular, I have not shared the VST’s source code, which I have never seen, let alone shared with anyone.

4. I have asked each member of the litigation team here at Bromberg & Sunstein LLP who has had access to “Confidential” and “Highly Confidential” documents or source code whether they have shared any such materials with the Texas litigation. They have not. In particular, I have asked Nuance’s designated counsel, Brad Lawrence (who has been designated to receive the source code under the neutral expert procedure), whether he has shared VST’s source code with the Texas litigation counsel or with Nuance. He has not.

5. By order dated May 5, 2006, this Court ordered ScanSoft’s counsel to set up a “Chinese Wall” that information discovered in this Boston litigation shall not be discussed with or used by the plaintiff in the Texas litigation. Bromberg & Sunstein LLP has set up the wall.

SIGNED UNDER THE PAINS OF PERJURY. EXECUTED ON THIS 12th DAY OF MAY, 2006.

/s/ Lee Carl Bromberg
Lee Carl Bromberg, Esq.

CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 12, 2006.

/s/ Courtney M. Quish
Courtney M. Quish

02639/00509 493969.1